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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
DCR DOCKET NO.: AG14HB01562

_____	:	<u>CONSENT ORDER</u>
IN THE MATTER OF:	:	
	:	
AMERICAN MULTI-MEDIA	:	
_____	:	
_____	:	

WHEREAS, the Attorney General of the State of New Jersey ("Attorney General") and the Director of the New Jersey Division on Civil Rights ("Director") are charged with the responsibility of enforcing the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. ("LAD"), and all regulations promulgated thereunder N.J.A.C. 13:13-1.1 et seq.; and

WHEREAS, the Division investigated alleged violations of the LAD and the regulations, specifically alleged discrimination against the deaf and hard of hearing by places of public accommodations owned or operated by American Multi-Cinema, Inc.

("AMC"); and

WHEREAS, the parties have reached an amicable agreement resolving any and all issues in connection with potential violations of the LAD and its regulations;

NOW, THEREFORE, it is on this 2nd day of September 2004,

AGREED AND ORDERED as follows:

DEFINITIONS

1. As used in this Consent Order, the Rear Window Caption System ("RWC") is a system, which displays reversed captions on a light-emitting diode ("LED") text display, which is mounted in the rear of a theater. Deaf and hard-of-hearing patrons use transparent acrylic panels attached to the seats to reflect the captions so that they appear superimposed on the movie screen. The reflective panels are portable and adjustable, enabling the caption user to sit anywhere in the theater.

2. As used in this Consent Order, the DVS Technical System ("DVS") is a system, which delivers descriptive narration via infrared listening systems, enabling blind and visually-impaired moviegoers to hear the descriptions on headsets. The descriptions provide narrated information about key visual elements such as action settings, and scene changes, making movies more meaningful to people with vision loss.

BUSINESS PRACTICES

3. By entering into this Consent Order, the parties agree that there are no admissions of liability or wrongdoing or findings of liability or wrongdoing under the LAD and its regulations.

4. Within ninety (90) days from the effective date of this Agreement, AMC agrees to install RWC and DVS systems at one screen at its Bridgewater Commons 7 Theater, located at 400 Commons Way, Bridgewater, New Jersey. If, in the future, the Bridgewater Commons 7 Theater is closed, the RWC and DVS systems will be installed at AMC's Marlton 8 Theater, located at 800 N. Route 73, Marlton, New Jersey.

5. AMC's Clifton Commons 16 Theater, located at 405 Route 3 East, Clifton, New Jersey, presently has the RWC and DVS systems installed at one screen. Within ninety (90) days from the effective date of this Agreement, AMC will install the RWC and DVS systems at an additional screen at Clifton Commons 16 Theater.

6. Within ninety (90) days from the effective date of this Agreement, AMC will install RWC and DVS systems at one screen at its Deptford 8 Theater, located at 1740 Clements Bridge Road, Deptford, New Jersey.

7. Within ninety {90} days from the effective date of this Agreement, AMC will install RWC and DVS systems at two (2) screens at its Hamilton 24 Theater, located at 325 Sloan Avenue, Hamilton,

New Jersey.

8. Within ninety (90) days from the effective date of this Agreement, AMC will install RWC and DVS systems at one (1) screen at its Essex Green 9 Theater, located at 495 Prospect Avenue, West Orange, New Jersey 07052.

9. AMC agrees to install RWC and DVS systems at one (1) screen at all newly constructed or individually acquired theaters in New Jersey with at least ten (10) screens. If the theater has more than fifteen (15) screens, AMC will install an additional RWC and DVS system.

10. Within ninety (90) days of the effective date of this agreement, AMC will provide notices of the scheduled movies for which RWC and DVS is available through newspapers, telephone advertisements, its own website, any other websites which AMC utilizes to advertise scheduled movies, or other means of advertising developed in the future by AMC. This provision will not apply to any advertisement of movies which: (1) is available in theatre not under the control of AMC, such as trailers, posters, etc., (2) is placed solely by a third party entity such as a film distributor or (3) theatre marquees that do not provide movie schedules to the general public.

11. AMC will maintain a minimum of ten (10) seat reflector screens for each RWC and DVS systems installed in their theaters under this Consent Order.

12. Within thirty (30) days of the effective date of this Agreement, AMC shall develop and post a written notice prominently displayed in its box office, in the theater and on the screens in the theatre with RWC and DVS, informing its patrons that RWC and DVS systems are available at a specific screen, with instructions as to how to access these systems.

13. AMC shall designate one (1) individual and an alternate, at each theater to monitor that the RWC and DVS systems are in operating condition.

14. AMC shall train all employees who may have contact with patrons as to the use of the RWC and DVS systems.

15. Compliance with the provisions of this Consent Order by AMC shall, for a period of five (5) years from the effective date, be deemed to be in compliance with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. and N.J.A.C. 13:13-4 with respect to providing a reasonable accommodation to deaf, hard-of-hearing and blind persons to enable them to attend and enjoy movies. However, it shall not be deemed compliance with the LAD and its regulations on any other basis. This provision and all other provisions of this Consent Order are binding only on the Attorney General and the Division on Civil Rights, and not on any individual who files a complaint with the Division.

16. At its theaters in New Jersey, AMC will provide the Attorney General with the opportunity to have the Attorney

General's public service announcements played on the movie screens prior to the showing of movies. Playing of such public service announcements shall be on a space available basis for a two year period from the effective date of this agreement.

GENERAL ASSURANCES

17. This Consent Order will become effective as of the date that all parties have signed it.

18. If AMC fails to comply with paragraphs 4 through 9 of this Consent Order, each failure to comply shall be deemed a violation of the LAD for which AMC shall be liable for penalties pursuant to N.J.S.A. 10:5-14a. AMC shall make every effort to ensure that personnel employed at its theaters comply with the provisions in paragraphs 10 through 15 of this Consent Order. If any theater is in violation of any provision of paragraphs 10 through 15 of this Consent Order, AMC shall be notified in writing and be given fifteen (15) days to rectify the situation. Such notice shall be directed to: American Multi-Cinema, Inc., Attention: Legal Department, 920 Main Street, Kansas City, MO 64105. If the violation continues beyond the fifteen (15) day period, such violation may be considered a violation of the LAD, for which AMC shall be liable for penalties pursuant to N.J.S.A. 10:5-14.1a.

19. This Consent Order shall bind the parties and shall be binding on any and all future purchasers, inheritors or other successors in the interest of AMC.

20. Subject to Paragraph 15, in the event technology is developed superior to the RWC and DVS systems, or for other good cause, either party may move to renegotiate the terms of this agreement.

21. The parties agree that for purposes of enforcement of this Consent Order, New Jersey law shall govern the terms and provisions herein.


22. This Consent Order constitutes the entire agreement between the parties hereto and shall bind the parties hereto and their respective officers, directors, agents, representatives, employees, successors and assigns.

23. The parties represent that an authorized representative of each has signed this Consent Order with full knowledge, understanding and acceptance of its terms and that this person has done so with authority to legally bind the respective party.

24. Any amendments to this Consent Order must be in writing and signed by all parties to be bound.

25. This Agreement shall constitute a Final Agency Order and is effective upon filing.

NEW JERSEY DIVISION ON CIVIL RIGHTS

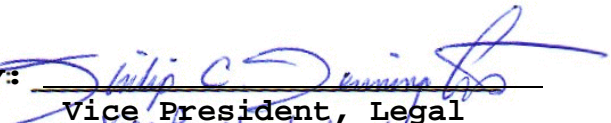
By: 
J. FRANK VESPA-PAPALEO, ESQ.
DIRECTOR

Dated: 9/8/04

I have read the above Consent Order, understand it and hereby agree to be bound by its terms. Consent as to the form and entry of this Order.

Dated: September 2, 2004

AMERICAN MULTI-CINEMA, INC.

By: 
Vice President, Legal
Vice President, Legal

Dated: September 2, 2004